



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1480  
Alexandria, VA 22313-1480  
www.uspto.gov

ZION HADAD  
48 HAALMOGIM STREET  
RISMON LEZION  
ISRAEL

AIR MAIL

**COPY MAILED**

JUN 3 0 2005

**OFFICE OF PETITIONS**

In re Application of  
Zion Hadad  
Application No. 09/493,662  
Filed: January 28, 2000  
For: OFDM COMMUNICATION CHANNEL

:  
:  
:DECISION ON PETITION  
:UNDER 37 CFR 1.137(b)  
:

This is a decision on the petition under 37 CFR 1.137(b), filed May 6, 2005, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is not a final agency action within the meaning of 5 U.S.C. § 704.

This application became abandoned for failure to timely pay the issue fee (and submit corrected drawings) as required by the Notices mailed November 22, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c) (III) (C) and (D). The instant petition fails to satisfy items (1) and (2).

Application No. 09/493,662

Page 2

Effective December 8, 2005, the issue and petition fees were increased. More specifically, the issue fee was increased to \$700 and the petition fee was increased to \$750. While the Notice of Allowance and Fee(s) Due, mailed on November 22, 2004 indicated that the issue fee due was \$685, any fee amount paid on or after December 8, 2004, must be paid in accordance with the revised fee schedule. Accordingly, petitioner must submit the balance due of \$15 for the issue fee and \$65 for the balance due for the petition fee.

In sum, before revival of this application can be effected, petitioner must submit fees totaling \$80 (\$15 for the issue fee and \$65 for the petition fee).

Petitioner is advised that the drawings filed on May 10, 2005 have been approved by the Official Draftsperson. Note attached Notice of Draftsperson's Patent Drawing Review.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

By hand: Customer Service Window  
Mail Stop Petitions  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By fax: (703) 872-9306  
ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.

  
Frances Hicks  
Petitions Examiner  
Office of Petitions

Attachment: Notice of Draftsperson's Patent Drawing Review